

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

LOFUL ELYARDO,
Petitioner

v.

PATRICK LECHLEITNER,¹
Respondent

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No. 1:23-cv-01089

(Judge Kane)

ORDER

AND NOW, on this 29th day of November, 2023, upon consideration of the petition (Doc. No. 1) for writ of habeas corpus filed by Petitioner Loful Elyardo (“Petitioner”), and for the reasons set forth in the accompanying Memorandum, **IT IS ORDERED THAT:**

1. The petition for writ of habeas corpus (Doc. No. 1) is **GRANTED**;
2. Within twenty-one (21) days of the date of this Order, Respondent Patrick Lechleitner shall provide Petitioner with an individualized bond hearing;
3. Petitioner’s motion to expedite (Doc. No. 2) is **DENIED AS MOOT**; and
4. The Clerk of Court is directed to **CLOSE** this case.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania

¹ Because Petitioner has been transferred from this district to a facility located in the Western District of Pennsylvania, see (Doc. No. 11), the Court has substituted Patrick Lechleitner, the Deputy Director and Senior Official Performing the Duties of the Director of United States Immigration and Customs Enforcement, see ICE Leadership, UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT, <https://www.ice.gov/leadership> (updated July 3, 2023), as the Respondent in this action. See Rumsfeld v. Padilla, 542 U.S. 426, 441 (2004) (noting that “when the Government moves a habeas petitioner after [he] properly files a petition naming [his] immediate custodian, the District Court retains jurisdiction and may direct the writ to any respondent within its jurisdiction who has legal authority to effectuate the prisoner’s release”); accord Anariba v. Dir. Hudson Cnty. Corr. Ctr., 17 F.4th 434, 445 (3d Cir. 2021).